

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

J A N U A R Y 1 5 , 2 0 0 4

The regular meeting of the City Planning Commission convened Thursday, January 15, 2004, at 1:33pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Randal Hernandez, Matthew Jenkins, Nick Sramek, Morton Stuhlbarg

ABSENT: COMMISSIONERS: Lynn Moyer, Charles Winn

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Zoning Officer
Angela Reynolds, Advance Planning
Harold Simkins, Senior Planner
Lynette Ferenczy, Planner IV
Joe Recker, Planner I

OTHERS PRESENT: Mike Mais, Assistant City Attorney
David Chartier, Chair, Cultural Heritage Commission
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

Announcement of Commissioner's Appointment to State Office

Commissioner Hernandez led the pledge of allegiance. Chairman Greenberg announced that Commissioner Hernandez had been named Appointment Secretary to Governor Schwarzenegger, and would be moving to Sacramento immediately to take up the position.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

Items 1D and 1G of the Consent Calendar were removed to the Regular Agenda for a staff report and discussion.

Item 5 from the Regular Agenda was moved to the Consent Calendar since it was a simple withdrawal of an appeal.

Items 1A, 1B, 1C, 1E, 1F and 1H of the Consent Calendar, and Item 5 from the Regular Agenda were approved as presented by staff on a motion by Commissioner Hernandez, seconded by Commissioner Sramek and passed 5-0. Commissioners Moyer and Winn were absent.

1A. Case No. 0312-13, ND 34-03

Applicant: City of Long Beach Redevelopment Agency
Subject Site: 2023 Pasadena Avenue (Council Dist. 6)
Description: Zone Change from R-3-S to P in order to establish a new neighborhood park (Daryle Black Memorial Park).

Recommended approval the Zone Change request.

1B. Case No. 0309-27, Condominium Conversion, Tentative Parcel Map (No. 27039); CE 03-184

Applicant: Joseph Ebner, Habitat for Humanity
Subject Site: 2655 & 2657 Santa Fe Ave. (Council Dist. 7)
Description: Request for Condominium Conversion and Tentative Parcel Map (No. 27039) to allow the subdivision of an existing two-unit apartment building to condominiums.

Approved the Condominium Conversion and Tentative Parcel Map, subject to conditions.

1C. Case No. 0311-18, Conditional Use Permit, CE 03-225

Applicant: ChecKing Check Cashing Centers
c/o Zoning and Land Use Solutions
Subject Site: 2185 E. South Street (Council Dist. 9)
Description: Request to establish a check-cashing business in an existing supermarket.

Approved the Conditional Use Permit subject to conditions.

1D. Case No. 0311-12, Conditional Use Permit, CE 03-219

Applicant: Asieh Naghizadeh c/o Mohsen Nateghi
Subject Site: 1165 Pacific Coast Hwy. (Council Dist. 6)
Description: Request for a Conditional Use Permit to add major (general) auto repair service to an existing automobile parts and installation business.

Removed to the Regular Agenda.

1E. Case No. 0310-22, Conditional Use Permit, CE 03-199

Applicant: Lemuel Hawkins, SBA Inc.
Subject Site: 515 W. Pacific Coast Hwy. (Council Dist. 6)
Description: A Conditional Use Permit to construct and maintain a wireless telecommunications facility, consisting of a 45-foot high monopine antenna structure with appurtenant equipment.

Approved the Conditional Use Permit, subject to conditions.

1F. Case No. 0312-03, Conditional Use Permit, CE 03-231

Applicant: Thomas J. Keim
Subject Site: 252 Elm Avenue (Council Dist. 1)
Description: A request for a Conditional Use Permit to allow the expansion of an existing specialty wine and cheese shop with wine tasting into an adjacent retail suite in the Downtown Planned Development (PD-30) Zone District.

Approved the Conditional Use Permit, subject to conditions.

1G. Certificate of Appropriateness

Applicants: Peter and Kris Glaeser
Appellants: Peter and Kris Glaeser
Subject Site: 3847 Wilton Street (Council Dist. 3)
Description: Appeal of a denial of a Certificate of Appropriateness for a two-story addition.

Removed to the end of the Regular Agenda.

1H. Negative Declaration 33-03

Applicant: Redevelopment Agency
City of Long Beach
Subject Site: 1900 Atlantic Avenue (Council Dist. 6)
Description: Application for a Conditional Use Permit to operate a drive-through ATM.

Certified Negative Declaration 33-03.

5. Certificate of Appropriateness

Applicants: Benjamin & Leticia Rodriguez

Appellants: Craftsman Village Historic Landmark Dist.
Subject Site: 1321 E. 8th Street (Council Dist. 2)
Description: Appeal of the approval of a Certificate of
Appropriateness for a two-story addition.

Accepted withdrawal of the appeal.

R E G U L A R A G E N D A

1D. Case No. 0311-12, Conditional Use Permit, CE 03-219

Applicant: Asieh Naghizadeh c/o Mohsen Nateghi
Subject Site: 1165 Pacific Coast Hwy. (Council Dist. 6)
Description: Request for a Conditional Use Permit to add
major (general) auto repair service to an existing
automobile parts and installation business.

Lynette Ferenczy presented the staff report recommending approval of the application since the location is appropriate for the use and as conditioned, would not have an adverse effect on surrounding properties.

George Behnam, 1150 E. Orangethorpe, Placentia, 92870, applicant, stated that he was in agreement with all the conditions of approval.

Teig Sida, 1843 Orange Avenue, neighbor, expressed concern that the fumes from the spray booth would be dangerous to area residents.

Mr. Behnam said that the paint booth would comply with all safety regulations, and that he was bringing the entire property into Code compliance. Mr. Carpenter noted that the applicant would also need an AQMD permit.

Commissioner Hernandez moved to approve the Conditional Use Permit, subject to conditions. Commissioner Stuhlbarg seconded the motion, which passed 5-0. Commissioners Moyer and Winn were absent.

C O N T I N U E D I T E M S

2. Case No. 0309-07, Conditional Use Permit, CE 03-171

Applicant: Barry Curtis
Subject Site: 1420 E. Anaheim Street (Council Dist. 2)

Description: Request to establish off-site sales of beer and wine at a neighborhood market.

Joe Recker presented the staff report recommending approval of the request, including conditions allowing modification of the existing sign to achieve compliance without removing the pole; and requiring removal of the exterior payphones.

Barry Curtis, 5342 Berkeley Avenue, Westminster, applicant, stated he was in agreement with all the conditions of approval.

Commissioner Hernandez added that he hoped that similar differences of standards between the Commission and the RDA would not create delays for future applicants.

Commissioner Jenkins moved to approve the Conditional Use Permit, subject to conditions. Commissioner Hernandez seconded the motion, which passed 5-0. Commissioners Moyer and Winn were absent.

R E G U L A R A G E N D A

3. Case No. 0311-16, Administrative Use Permit, ND 32-03

Applicant: Westwood College
c/o Sandy Harrington of STDR Architects Inc.
Subject Site: 301 E. Ocean Boulevard (Council Dist. 2)
Description: Request to establish an Institutional Use
(Westwood College) and a joint-use parking program.

Greg Carpenter said that the applicant had indicated they would pursue a withdrawal of the application, and he recommended a continuation to address the possibility.

Commissioner Sramek moved to continue the item to the February 5, 2004 meeting. Commissioner Jenkins seconded the motion, which passed 5-0. Commissioners Moyer and Winn were absent.

4. Case No. 0309-12, Standards Variance, Local Coastal Development Permit, CE 03-172

Applicants: Suburban Partners, LLC
c/o RPP Architects-Bozena Jaworski
Appellants: Bozena Jaworski for James Linden
Subject Site: 1724 Bluff Place (Council Dist. 2)
Description: Appeal of the Zoning Administrator's
decision to conditionally approve a Local Coastal

Development Permit and Standards Variance for construction of a new three-story single family home with a partial basement and roof deck with code exceptions for a reduced garage setback, reduced front yard setback, oversized curb cut, reduced street-side yard setback from 12th Place, and to exceed the lot coverage. An appeal has been filed by the applicant to modify Condition No. 35 relating to the building height in the street-side yard setback. A second party has also appealed the decision of the Zoning Administrator.

Mr. Mais noted that since Commissioners Stuhlbarg and Jenkins live within 500' of the proposed development, they would not be participating in the discussion, but that Mr. Jenkins would remain to serve as a non-voting fourth member for a quorum. Both appellants agreed to the arrangement.

Lynette Ferenczy presented the staff report recommending upholding the decision of the Zoning Administrator since the subject site is unique and positive findings can be made to grant the Coastal Permit and variance requests, and since approval of the reduced building height would allow greater views of the coast from the top of the bluff and adjacent buildings.

Jim Milner, 5131 El Cedral, neighboring property owner and appellant #1, stated he was against the project because it would deny coastal access to the public and local residents, and he suggested that the applicant reduce interior ceiling heights from 9' to 8' to help preserve those views.

Jim Linden, 1724 Bluff Place, project site owner and appellant #2, stated that he had already made extensive compromises on his design, and that ceiling heights on only two floors were at 9', and the other was already at 8', which he felt was comparable or lower than surrounding properties. Mr. Linden added that the view from downtown was affected, but that no other views were; and that public beach access was not blocked. Mr. Linden added that the staff height recommendation would require moving the elevator shaft, costing much-needed off-street garaged parking.

Ernie Kuo, 16 - 12th Place, said he thought the structure was inappropriate for the lot size, and would impact community views. He presented a slide showing how his view would be blocked by the proposed home, and said he wanted to see a more reasonable compromise.

Jenny Choi, 16 - 12th Place, said she supported 8' ceilings on all floors of the project to allow a public view of the harbor from the top of the bluff, and she noted that she would be losing all of her ocean view from her first floor, and most of it from the second.

Rob Bellvue, 6018 E. Bayshore Walk, said he was in support of Mr. Linden's appeal since he thought the structure height was much lower than what the Coastal Program would allow, and that 9' ceilings were the standard today. Mr. Bellvue added that an even taller building would probably be developed for the adjacent parking lot, which would make this whole issue moot.

Doug Otto, 111 W Ocean Blvd., Ste. 1300, presented a drawing showing the difference between the two design ideas, noting that there were still many ocean vistas available to residents and the public from different angles. Mr. Otto said he thought the public view should be measured from the end of the 'paper street,' since there was otherwise no standard by which to pinpoint these views. Mr. Otto echoed appellant Linden's concerns that moving the elevator shaft would reduce parking on the site; and that the staff recommendation to remove the corner of the building wouldn't make much difference in view blockage. He also agreed that the resulting view blockage from future development of the parking lot would be much more severe.

Bozena Jaworski, 3837 E. 7th Street, project architect, stated that the elevator was necessary for the older residents.

Appellant Milner stated that he wanted to make sure the deed restriction limiting the height of the building would stay in the conditions of approval.

Commissioner Hernandez confirmed Mr. Milner's understanding that the structure could be built up to 45' high if it was built to code.

Commissioner Hernandez moved to uphold the decision of the Zoning Administrator to conditionally approve a Local Coastal Development Permit and Standards Variance for construction of a new single-family home and to deny the Milner appeal, and to eliminate Condition 35 limiting the building height in the street-side yard setback, with minor typographical corrections to Conditions 30 and 33.

Commissioner Sramek agreed that Mr. Linden had made many design compromises to appease concerns, and he seconded the motion.

Chairman Greenberg expressed distress that two reasonable parties could not come to a mutual agreement on a small point of discussion with an insubstantial impact.

The question was called, and the motion passed 3-0.
Commissioner Jenkins abstained due to conflict of interest;
Commissioner Stuhlbarg was not involved in the discussion due to
conflict of interest, and Commissioners Moyer and Winn were
absent.

5. Certificate of Appropriateness

Applicants: Benjamin & Leticia Rodriguez
Appellant: Craftsman Village Historic Landmark Dist.
Subject Site: 1321 E. 8th Street (Council Dist. 2)
Description: Appeal of the approval of a Certificate of
Appropriateness for a two-story addition.

Action to accept withdrawal of the appeal taken during Consent
Calendar vote.

1G. Certificate of Appropriateness

***(This item was removed from the Consent Calendar to the end of
the Regular Agenda)***

Applicants: Peter and Kris Glaeser
Appellants: Peter and Kris Glaeser
Subject Site: 3847 E. Wilton Street (Council Dist. 3)
Description: Appeal of a denial of a Certificate of
Appropriateness for a two-story addition.

Harold Simkins presented the staff report recommending upholding the Cultural Heritage Commission's decision to deny a Certificate of Appropriateness for a two-story addition because they found that it would overwhelm the existing house and disrupt the visual unity and cohesion of the Wilton Street Historic District.

David Chartier, Chair, Cultural Heritage Commission, said his group felt the proposed addition would have too high an impact and be too precedent-setting to condone its approval, in spite of the quality of the project.

Peter Glaeser, 3847 E. Wilton Street, applicant/appellant, outlined the design process, which he characterized as a series of meetings and presentations during which he felt there was a

subjective change in policy which created a misunderstanding about what he was able to do, compromising his property rights. Mr. Glaeser showed photos supporting his contention that the project would not be precedent-setting, since few of the area homes conformed to CHC guidelines anyhow. He also pointed out that as many as 20% of houses within the historic district already have a second story, and upon polling his neighbors, he received 75% support for his project.

Steve Dodge, 3821 E. Wilton, neighbor, spoke in support of Mr. Glaeser, saying that as a member of the original committee that set up the historic district in the first place, he felt that any well-designed additions were acceptable as long as they were to the rear of the property, not showing from the street.

Scott Goegebuer, 3925 E. Wilton, neighbor, also spoke in support of Mr. Glaeser's project, noting that the north side of the street was elevated enough so that the proposed addition would not be visible from the street. Mr. Goegebuer said he felt that the applicant had made every effort to follow design guidelines and suggestions without compromising the original structure.

Mr. Chartier agreed that the applicant had indeed followed the guidelines, but said that the CHC felt this would be just another non-conforming house in the district.

Commissioner Jenkins suggested the CHC work out a compromise for future applications, since 20% of the district already had second story additions.

Commissioner Stuhlbarg noted that the applicant had sought concurrence from the beginning, even through design changes and modifications and community outreach, and with similar homes in the area, and said he felt they were entitled to build their second story.

Commissioner Stuhlbarg then moved to uphold the appeal of the denial of the Certificate of Appropriateness for the second-story addition. Commissioner Hernandez seconded the motion.

Commissioner Hernandez added that with due respect to the CHC, they had left the applicant open to significant changes after he had made a considerable investment in the property based on the initially positive reaction to his proposed expansion. Mr. Hernandez agreed that guideline changes needed to be made to address this issue in the future.

Chairman Greenberg said he was loath to overturn a CHC decision, especially since it could be precedent-setting, but he felt the case was unusually compelling in that the appellants had tried very hard to cooperate with the guidelines.

The question was called, and the motion passed 5-0.
Commissioners Moyer and Winn were absent.

M A T T E R S F R O M T H E A U D I E N C E

Juan Moreno, 1217 E. 8th Street, inquired about an item from the Consent Calendar.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Angela Reynolds gave an update on the General Plan, noting that the first round of meetings was underway.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

Commissioner Hernandez stated he was honored to have served with the Commission members, and complimented the staff on their skill and wisdom.

A D J O U R N

The meeting adjourned at 5:00pm in honor of Kellee Murchison Bennett, on a motion by Chairman Greenberg, seconded by Commissioner Jenkins and passed 4-0. Commissioner Sramek had left the meeting and Commissioners Moyer and Winn were absent. A draft resolution citing same will be presented to the family.

Respectfully submitted,

Marcia Gold
Minutes Clerk